

The Honorable Jamal N. Whitehead

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

KURT A. BENSHOOF,)	
)	No. 2:24-cv-00382-JNW
Plaintiff,)	
v.)	RESPONSE TO PLAINTIFF'S
)	SECOND MOTION TO STAY
DAVID S. KEENAN,)	
)	<i>Noted for September 30, 2024</i>
Defendant.)	
)	

On September 9, 2024, Plaintiff Kurt Benshoof filed a second notice and motion to stay. Dkt. 28. Defendants responded to a substantially identical motion on August 30, 2024 and incorporate that response here. Dkt. 27. Defendant would be prejudiced by an indefinite stay.¹

I certify that this Memorandum contains 185 words in compliance with Local Civil Rules.

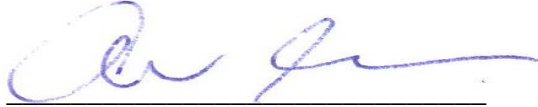
DATED this 19th day of September, 2024.

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¹ Benshoof's allegation that undersigned counsel has a "conflict of interest" because counsel's defense of Judge Keenan is a misappropriation of public funds in violation of RCW 42.20.070 is frivolous. "RCW 42.20.070 applies to public officers or employees who receive money on behalf or on account of the people of the state. On its face, the statute applies to money, not public resources." *In re Recall of Weyrich*, __ Wash.3d __, 2024 WL 3977205 at *5 (Wash. Aug. 29, 2024). Moreover, "the state has a legitimate interest in providing representation to its employees for suits arising out of the performance of their duties. It makes no difference whether the acts by the employees are allegedly legal or illegal because that question can never be resolved until the law suit is at an end." *Wimberley v. Lynch*, 460 F.2d 316, 317 (9th Cir. 1972).

LEESA MANION (she/her)
King County Prosecuting Attorney

By: 
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CERTIFICATE OF FILING AND SERVICE

I hereby certify that on September 19, 2024, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF E-filing system which will send automatic notification to the following:

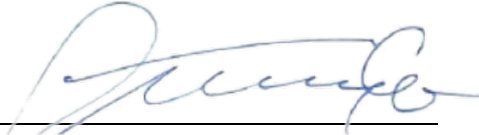
Kurt A. Benshoof
1716 N 128th Street
Shoreline, WA 98133
kurtbenshoof@gmail.com
Pro Se Plaintiff

I also hereby certify that on September 19, 2024, I sent the same via US Postal Service to the following:

Kurt A. Benshoof
B/A 2024-008067
King County Correctional Facility
500 Fifth Ave.
Seattle, WA 98104

I declare under penalty of perjury under the laws of the United States of America and the State of Washington that the foregoing is true and correct.

1 DATED this 19th day of September, 2024.

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4 RAFAEL A. MUNOZ-CINTRON
5 Paralegal I – Litigation Section
6 King County Prosecuting Attorney's Office
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